

## 2001 Session Review

### Tightening sex offender laws

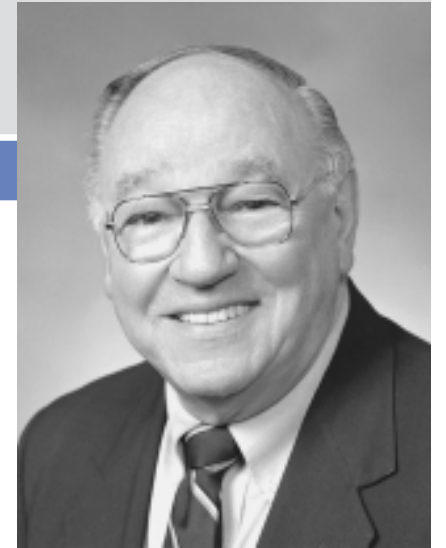
The Legislature this year passed a handful of important laws dealing with sex offenders. One of them is **3ESSB 6151**, which revises how high-risk sex offenders are handled. The bill calls for longer prison sentences, with rapists and molesters getting more life sentences. The measure sends predatory sex offenders convicted in the future to prison for longer sentences instead of going into the civil commitment process. The bill also puts a 24-bed "halfway house" for sex offenders on McNeil Island, near Tacoma. This facility will house sex offenders from the Special Commitment Center who are considered ready for less restrictive confinement. Fifteen of the halfway house residents will be allowed to leave the island to work, get therapy or attend school.

Another measure that became law is **ESSB 5013**, which I prime-sponsored. **This bill closes a loophole in the state's "Two Strikes You're Out" law for sex offenders.** It clarifies that out-of-state sex offense convictions and prior federal and Washington state sex offense convictions which are comparable to current listed "strike" offenses will count as a prior strike offense under the "Two Strikes" law.

### Fighting methamphetamine

Despite efforts to stop the growing problem with highly volatile methamphetamine labs, the problem has worsened. Instead of just providing more funding for law enforcement, **the Legislature approved a bill (ESSB 5017) that tries a different way to battle meth.** This measure focuses on key ingredients used to manufacture this highly addictive and dangerous drug. It restricts the sale of ephedrine and its derivatives, which can be found in cold medicine.

This bill makes it a gross misdemeanor to sell at retail more than three packages of products containing these ingredients, or a single package containing more than three grams in a single sale. It is also a gross misdemeanor to buy more than three packages of products containing these ingredients, or a single package containing more than three grams in a 24-hour period. This doesn't include prescription purchases or sales.



Dear Friends,

August 2001

*I've been your state senator for 21 years, and the just-concluded session ranks as one of the most disappointing sessions that I can recall. It was disappointing because I thought it lacked true leadership from Gov. Locke. His broken promise that a transportation package would go to a vote of the people fueled partisan politics and stymied any chance of passing legislation to begin fixing the serious transportation needs of our state. I remain hopeful that a regional transportation plan can be negotiated that would allow voters in specific regions of the state to vote for proposed transportation projects and increased taxes within those regions.*

*This newsletter covers several of the key issues of the 2001 session, including the operating and capital budgets, transportation, energy, education, blanket primary and sex offender legislation. If you have questions or comments about these or other legislative issues, please contact my office. It continues to be an honor to serve you.*

Sincerely,

Senator Bob McCaslin

## 2001 Legislative Session Review

#### Senate committees:

- Judiciary, ranking Republican
- State and Local Government
- Economic Development and Telecommunications

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#### Issues covered in this end-of-session newsletter:

- ▶ State budget
- ▶ Transportation
- ▶ Energy
- ▶ Education
- ▶ Blanket primary
- ▶ Sex offenders
- ▶ Fighting methamphetamine



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Operating budget

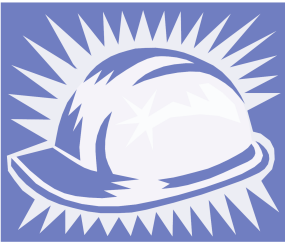
In late June, **the House and Senate agreed to a \$22.8 billion state operating budget for the next two years.** The operating budget includes \$629 million for a 3.7 percent cost-of-living increase for teachers and other state workers, \$479 million to reduce class sizes and provide more training for teachers, and \$31 million to increase enrollment at state colleges and universities. The budget provides 42 additional enrollment slots at Washington State University's Spokane campus, and 153 new slots at Eastern Washington University. It also earmarks \$1 million to operate and develop the Spokane-based Inland Northwest Technology Education Center. The center deals with short-term education and training needs of technology workers for industries in Eastern Washington. There is \$7.2 million for acquiring and operating a state Veterans Home in the Spokane area that will serve veterans from Eastern Washington. The home will not only honor the contributions of men and women from Eastern Washington who have served in the nation's armed forces, but will also be less expensive for state taxpayers than if the residents were served in other nursing facilities, since additional federal support is available for operation of state veterans homes.

Transportation reforms enacted

One of the most important issues of the session was also one of the most controversial. **Sharp disagreements prevented the Legislature from passing a transportation revenue package** either during the 105-day regular session or the three special sessions that followed. The Legislature and Gov. Locke did approve two measures that help reform Washington's transportation system: **Senate Bill 6188** streamlines the environmental permitting process for transportation projects. One of the main reasons why road and highway construction projects take so long to complete is the lengthy permitting process. Since the permitting phase causes construction costs to rise, it means the state spends money on time. This measure will make a huge difference in getting road projects completed faster and helping reduce traffic congestion. **House Bill 1680** extends design-build for public works. Under the design-build process, a single contractor can be given the bid to handle both the designing and building of a project. This process saves time and money on projects. This bill authorizes the Department of Transportation to utilize the design-build process and other ways to do construction projects over \$10 million if certain requirements are met.

Capital budget

This \$2.5 billion budget covers state government construction projects. I supported it. Here is a rundown of the local construction projects found in the building budget:



- WSU Spokane Riverpoint: \$2 million for the academic center building
- Eastern Washington University: More than \$30 million, including \$3.6 million for the design of the Cheney Hall high-tech research center
- Eastern State Hospital: \$9.2 million for campus renovation, and \$150,000 toward construction of a \$5.9 million activity therapy building
- Spokane Falls Community College: \$5.6 million for library renovation, and \$672,000 to replace the fine arts building
- Spokane Community College: \$235,000 for the multicultural student service center
- Mirabeau Point Community Complex: \$2 million
- Fox Theater: \$2 million
- Spokane Crime Lab: \$400,000 toward construction of an \$8.4 million lab run by the State Patrol
- Cheney Cowles Museum: \$250,000
- Spokane Symphony: \$230,000
- Holy Names Music Center: \$50,000
- Mid-City Concerns: \$28,000
- Children's Home Society: \$238,000
- West Central Community Center: \$100,000
- Spokane Parks and Recreation: \$54,000 for the Corbin and Moore-Turner Heritage Gardens



Education

This year, the Legislature passed several bills that affect K-12 education. **One measure (E2SSB 5695) creates alternative routes for people to acquire a teaching certificate.** The routes involve mentored internships that provide college graduates who do not have teaching degrees with a chance to become teachers after working for a year with experienced teachers. **Another measure (ESSB 5937) addresses our shortage of experienced teachers by creating a program that will attract retired teachers back into classrooms.** Currently, state retirement plans impose restrictions on the ability of retirees to collect their pensions if they return to work in jobs covered by the same pension plan. This bill expands post-retirement work opportunities without penalizing individuals by reducing their pension payments. TRS 1 and PERS 1 retirees may work up to 1,500 hours per year without having their pensions reduced or suspended.



Sen. McCaslin addresses colleagues during a Senate floor debate.

Energy package approved

California's energy problems and our drought combined to place Washington in an energy crisis starting last fall. The shortage of energy supply resulted in skyrocketing energy rates that made it difficult for ratepayers to pay, especially low-income residents and large energy-consuming businesses. As Spokane residents know, rising energy prices caused Kaiser and other aluminum plants to stop or reduce production. This session, **the Legislature passed a comprehensive measure that will help improve our energy situation.** House Bill 2247 provides short-term and long-term tools to deal with the situation. This package creates incentives for utility companies to assist low-income energy customers to pay their energy bills. The measure raises the maximum power production threshold for new and existing power plants before they have to comply with the approval process established by the state Energy Facility Site Evaluation Council (EFSEC). This change could immediately increase power production by as much as 157 megawatts, enough to supply energy to about 157,000 homes.

No blanket primary alternative found

Our popular blanket primary system was adopted by voters in 1935, but the U.S. Supreme Court last year invalidated California's "blanket primary" law, which is very similar to Washington's in that all candidates regardless of party affiliation, are listed on the ballot and voters are free to choose among them. The Supreme Court said states can't force parties to accept this method of selecting its nominees because it violates the parties' First Amendment "freedom of association" rights. The court ruling spurred the Washington State Democratic Party to file a suit against the state, which was later joined by the state Republican and Libertarian parties. Despite pleas from many legislators to drop the lawsuit, the political parties refused to back off. As a result, a U.S. District Court judge gave the state until May 22 to come up with an alternative primary system. Otherwise, the court would decide the matter. Faced with this deadline, one measure (ESB 6183), called the "People's Choice Primary" or Cajun primary, was passed by the Senate. Under this proposal, the top two vote getters in

each primary race move to the November general election ballot regardless of party affiliation. Proponents of the bill say it would pass constitutional challenges because it is a "qualifying" primary, not a "nominating" primary. I voted for it because it most resembles our blanket primary system by giving voters the broadest choice; it maintains privacy because voters don't have to list a party affiliation; and it allows all votes to be counted. However, House Co-Speaker Clyde Ballard refused to let the House vote on the Senate version. The House instead passed what some called the "Montana Primary." This version gave the parties the option of not counting ballots cast by voters not affiliated with a party. Because of this impasse, **the Legislature didn't pass any alternative to the blanket primary.** Fortunately, U.S. District Court Judge Franklin Burgess just recently rejected the state's political parties' motion to bar blanket primaries, making it likely that our blanket primary system will remain in place for the upcoming fall primaries.